

## **EXHIBIT C**

***SMITHERS***

***VS.***

***FRONTIER AIRLINES INC***

**Deposition**

***SHAWN P. CHRISTENSEN***

*04/17/2019*

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***AB Court Reporting & Video***

*216 16th Street, Suite 600*

*Denver Colorado, 80202*

*303-296-0017*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Civ. Action No. 1:18cv676 (TSE/IDD)

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30(b)(6) DEPOSITION OF FRONTIER AIRLINES, INC., as  
given by SHAWN P. CHRISTENSEN  
April 17, 2019  
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ANNE SMITHERS, et al.,

Plaintiffs,

vs.

FRONTIER AIRLINES INC.,

Defendant.  
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1 APPEARANCES:

2 STONE & WOODROW LLP

By Thatcher Stone, Esq.

3 William T. Woodrow, III, Esq. (via  
videoconference)

4 Suite 201, Louis & Clark Plaza

250 West Main Street

5 Charlottesville, Virginia 22902

Appearing on behalf of Plaintiffs.

6 CHARLSON BREDEHOFT COHEN & BROWN, P.C.

7 By Elaine Charlson Bredehoft, Esq.

11260 Roger Bacon Drive, Suite 201

8 Reston, Virginia 20190

Appearing telephonically on behalf of  
9 Defendant.

10 CONDON & FORSYTH LLP

By Bartholomew J. Banino, Esq.

11 7 Times Square

New York, New York 10036

12 Appearing on behalf of Defendant.

13 Also present: Anne Smithers, via  
14 videoconference

1 A Okay.

2 Q -- with your permission. Thanks.

3 So the captain called you, if I understand  
4 your testimony, when he thought he was accused,  
5 correct?

6 A Correct.

7 Q And then you told him to call the GSC.

8 A Correct. He --

9 Q And you also told him --

10 MR. BANINO: Thatcher, Thatcher, please,  
11 you just started asking the next question before he  
12 finished.

13 MR. STONE: I thought he finished.

14 A The GSC was on-site. They're --

15 Q (By Mr. Stone) Yeah.

16 A They're at the airport. They're not off-  
17 site and get called in. They're typically one of  
18 the managers.

19 Q Understood. Was it the station manager  
20 that day, or you don't remember?

21 A Well, it was not the Frontier station  
22 manager, it was the business partner. And I'm not  
23 sure supervisor, manager, what position --

24 Q Understood.

25 A -- but it's the manager on duty at that

1 time that was assigned as the ground service --  
2 ground security coordinator, correct.

3 Q Okay. And what did the ground security  
4 coordinator tell you they were going to do?

5 A I didn't have the communication directly  
6 with the ground security coordinator, I had the  
7 communication with -- with the captain.

8 And so the captain spoke with the ground  
9 security coordinator, they conducted their test, the  
10 reasonable suspicion test, and the captain at that  
11 point was cleared and I had the communication with  
12 him afterwards.

13 Q Okay. But you don't remember the name of  
14 the GSC that day?

15 A I don't remember the name of the GSC that  
16 day.

17 Q Okay.

18 A I know -- we have a couple there, and I  
19 don't want to put the wrong name out there, so ...

20 Q So when it's time for this check of the  
21 captain and his sobriety to take place, you go to  
22 the GSC first, correct?

23 MR. BANINO: I'm just going to object.  
24 That wasn't his testimony.

25 Q (By Mr. Stone) Well, is that correct?

1 MR. BANINO: -- suggesting I'm --

2 MR. STONE: -- is noted. Well, you are.

3 MR. BANINO: -- I'm the judge.

4 MR. STONE: Your objection is noted and  
5 we'll let the judge decide. That's what his job is.

6 Q (By Mr. Stone) And no disrespect to you,  
7 Mr. Christensen.

8 A No disrespect.

9 Q So do you know when the fuel, if extra  
10 fuel was required, because the -- a possible reroute  
11 or weather, when it was delivered vis-a-vis the main  
12 door cabin closing and the jetway pulling away?

13 MR. BANINO: Same objection.

14 Q (By Mr. Stone) Do you know?

15 A From my understanding, it was after main  
16 cabin door closure.

17 Q Okay. But you don't --

18 A From my understanding.

19 Q Understood. You don't know if it was  
20 before or after the jetway pulled away.

21 MR. BANINO: Same objection.

22 A That, I don't know.

23 Q (By Mr. Stone) Okay. Who made the  
24 decision to take Ms. Smithers off the plane, and  
25 why? This is No. 3.

1           A       That, I don't know. I don't know the  
2       specific individual that -- that authorized -- or  
3       not authorized, but that made the decision to remove  
4       Mrs. Smithers from the aircraft.

5                   I know that two of the ramp -- excuse me,  
6       the gate agents came onboard and asked her to depart  
7       the aircraft.

8           Q       And who were the gate agents?

9           A       I believe one of them was still the GSC.  
10       I don't have the names off the top of my head. I've  
11       got too many names floating in there to --

12          Q       No. Fair enough.

13          A       -- try to pull it out.

14          Q       And did you -- sorry.

15                   Did you, in preparation for this  
16       deposition, investigate who made the decision, what  
17       was the chain of command, or what the operating  
18       procedures and guidelines were in connection with  
19       Item 3 on your notice?

20          A       So that's -- that's a very broad -- it's a  
21       very broad question.

22                   MR. BANINO: Yeah, I think if you break  
23       that down, Thatcher, that might be -- make more  
24       sense.

25                   MR. STONE: Let the witness answer,



1 please.

2 A And I'll keep it very broad.

3 Any time that there's going to be a  
4 passenger removal, there's multiple coordination  
5 that goes on. It can be the request of a flight  
6 attendant, it can be the request of a pilot.

7 Depending on the information received,  
8 the -- the communication, coordination, it's -- the  
9 joint coordination -- so any time the main cabin  
10 doors are open, the ground service coordinators, the  
11 security manager, once the door is closed the  
12 in-flight security coordinator becomes the captain.

13 It's always better to resolve an issue on  
14 the ground than it is in the air, and so if there's  
15 a point of question that occurs between the ground,  
16 the pilots and/or the flight attendants, that needs  
17 to be resolved sooner rather than later. At  
18 39,000 feet you can't make that decision. Things  
19 can get a lot worse, and so having that coordination  
20 now is a much better determination.

21 So whoever had the information that was  
22 being passed along, somehow it was determined that  
23 Ms. Smithers was onboard the aircraft after the  
24 allegations had been made, and so now there's a  
25 question of is the person that made the allegations

1 against the captain still onboard the aircraft, and  
2 were those allegations true or false after the  
3 captain had been cleared, and it seemed like the --  
4 like there was still a social media conversation  
5 going back and forth after the captain had been  
6 cleared to -- to return to service.

7 That being said, I don't know the  
8 captain's state of mind at that point in terms of,  
9 you know, why there would be a removal, who made the  
10 call for the removal.

11 I will say that it is always better to  
12 take care of that on the ground than once you're in  
13 a pressurized vessel blasting off and, you know, in  
14 the high 30s. So that --

15 Q (By Mr. Stone) Do you know who made the  
16 decision to have Ms. Smithers removed from the  
17 aircraft?

18 A I do not.

19 Q Do you know what the chain of command was  
20 in respect of any rules or procedures at Frontier  
21 about who should make the decision about what should  
22 happen to Ms. Smithers?

23 A Again, it's -- the rules are -- are very  
24 broad scoped. If there's a concern, it is better to  
25 resolve that concern on the ground.

1 cetera, because of the failure to fully comply with  
2 the 30(b)(6) list.

3 I've got a couple -- a few more questions.

4 Q (By Mr. Stone) I just want to make sure I  
5 understood your earlier testimony, okay?

6 A Yeah.

7 Q You never spoke to --

8 MS. BREDEHOFT: I'm sorry, can I just  
9 interject, please?

10 MR. STONE: Jesus.

11 MS. BREDEHOFT: Mr. Stone has completely  
12 falsely represented what the obligations of a  
13 30(b)(6) witness are and the specific manners in  
14 which they can be prepared and what can be disclosed  
15 with work product and attorney-client privilege, and  
16 so I'm objecting to his statement and his claim that  
17 that is the obligations of this witness.

18 MR. STONE: Well, take it up with the  
19 judge. So will we.

20 Q (By Mr. Stone) Mr. Christensen, I just  
21 want to make sure my -- my partner who's listening  
22 and I weren't clear about your answer on one of the  
23 questions.

24 Is it true that you never spoke to the  
25 ground handling agents who were involved in removing

1 Ms. Smithers from this aircraft?

2 A Correct.

3 Q Okay.

4 MS. BREDEHOFT: Objection. That's outside  
5 the scope.

6 MR. STONE: No, it's not. It's No. 3. Go  
7 read No. 3.

8 Q (By Mr. Stone) Now, the last question I  
9 think I want to ask you is if you wanted to see Doug  
10 Hill's report, could you ask him for it?

11 A I probably could.

12 MS. BREDEHOFT: Objection. Hypothetical.  
13 Calls for speculation.

14 MR. STONE: Well, the witness answered.

15 So could you read back the answer, please,  
16 Vanessa.

17 (Last answer read.)

18 MR. STONE: Okay. Thank you,  
19 Mr. Christensen.

20 THE DEPONENT: You're welcome.

21 MR. STONE: Let's wait one minute.

22 Will, if you have anything else, let me  
23 know.

24 MR. BANINO: Speak now or forever hold  
25 your peace, Will.